



DEPARTMENT OF ENVIRONMENTAL PROTECTION
Monthly Enforcement Report
for actions during October 2014
DISTRIBUTED: November 18, 2014

This report has been prepared to satisfy a statutory obligation the Maine Department of Environmental Protection has to inform the public of certain enforcement resolutions. Please contact Peter Carney at (207) 287-4305 or peter.j.carney@maine.gov for additional information regarding the activities listed in this report.

The following cases were resolved to achieve compliance with the law; remediate environmental damage; restore natural resources to appropriate conditions; and impose penalties to deter similar actions in the future.

Administrative Consent Agreements Approved by the Commissioner and Office of the Attorney General (party followed by location):

Asbestos:

Envirovantage, Inc., Bath, Maine. Envirovantage, Inc. violated the Department's *Asbestos Management Regulations* by failing to wet pipes that were removed using work practice requirements for wrap and cut operations by requiring the use of glove bags with water prior to wrapping with two layers of 6-mil polyethylene sheeting. To resolve the violation, Envirovantage, Inc. paid \$2,000 as a civil monetary penalty.

Hazardous Waste:

Marc Carlson dba Finely Restored, North Yarmouth, Maine. Marc Carlson dba Finely Restored ("Finely Restored") violated the Department's *Standards for Generators of Hazardous Waste* by: failing to determine if wastes generated are hazardous; failing to mark containers of hazardous waste with the words "hazardous waste" and the accumulation start date; failing to keep containers of hazardous waste closed; failing to provide a firm working surface that is impervious, entire, and constructed to prevent spillage from leaving a hazardous waste storage area; treating hazardous waste by means of evaporation and solidification without a license to do so; storing hazardous waste-contaminated waste waters in an underground tank; failing to conduct inspections of hazardous waste containers and record findings in an inspection log; failing to establish a hazardous waste storage area that meets the requirements of the Department's rules; storing hazardous waste for greater than ninety days without a license to do so; failing to apply for and obtain a U.S. EPA identification number for generators of hazardous waste; failing to develop and maintain a facility contingency plan; and failing to execute annual aid agreements in writing with local police, fire, hospital and emergency response teams. In addition, Finely Restored violated the *Maine Hazardous Waste, Septage and Solid Waste Management Act* by discharging hazardous waste and hazardous matter without a license to do so, failing to immediately report discharges of hazardous matter, and failing to immediately undertake the removal of hazardous matter discharges. Subsequent to Department involvement, Finely Restored: contracted for sampling and analysis of the contents of the underground tank; contracted for the removal of hazardous wastes; submitted a subsurface investigation report to the Department for soils and groundwater in the vicinity of the underground tank, and submitted a written response to the Department outlining other corrective measures performed or instituted.



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To resolve the violations, Finely Restored agreed to prevent any hazardous waste or hazardous waste constituents from entering underground holding tanks on the site and agreed to pay \$16,000 as a civil monetary penalty, according to a payment plan.

Water:

Town of Lisbon, Lisbon, Maine. The Town of Lisbon (“Lisbon”) violated Maine’s *Water Pollution Control* laws by directly or indirectly discharging or causing to be discharged a pollutant, namely untreated wastewater, without first obtaining a license from the Department. An unknown amount of untreated wastewater was discharged to a small brook that flows to the Androscoggin River over an unknown period of time due to a blockage in a sewer line. An estimated 550,000 gallons of untreated wastewater discharged to the Sabattus River due to a pump station not operating properly. An unknown amount of untreated wastewater discharged to the Sabattus River over an unknown period of time due to a failed plug in an inactive sewer line. Lisbon also violated the terms of its Department-issued waste discharge license by: failing to include a systematic approach for proper operation and maintenance of the sewer collection system in the facility’s Operation and Maintenance Plan; failing to collect all waste flows into an approved waste treatment facility in such a manner as to maximize removal of pollutants; and failing to maintain the wastewater collection system in good working order and operate it at maximum efficiency. To resolve the violations, Lisbon agreed to abandon the inactive sewer line in a manner acceptable to the Department and study and abandon, repair, or replace another sewer line. Lisbon also paid \$4,252 as a civil monetary penalty and another \$17,009 in monetary penalties will be offset by Lisbon’s completion of a Department-approved Supplemental Environmental Project for the development of recommendations for watershed improvements in the watershed of an impaired stream.

Winterport Water District, Winterport, Maine. A 2013 administrative consent agreement with the Winterport Water District (“Winterport”) was amended to allow Winterport to identify funding prior to incurring the expense of completing its final design of a secondary waste water treatment system. The 2013 administrative consent agreement requires Winterport to complete a number of actions ultimately leading to construction and operation of a secondary waste water treatment system to replace its existing primary waste water treatment system.